

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT**

**JOHN M. PRETEROTTI,**

**Plaintiff,**

**V.**

**CHRISTOPHER LORA, Vermont State Police Officer; JOHN DOE, Station Commander, Vermont State Police Barracks; and JOHN DOE, Director of State Police,**

## Defendants.

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**File No. 1:16-cv-00091-jgm**

## ORDER

The Magistrate Judge's Report and Recommendation was filed October 6, 2016.

(Doc. 11.) The Report and Recommendation is AFFIRMED, APPROVED and ADOPTED absent objection. See 28 U.S.C. § 636(b)(1).

Defendant Christopher Lora's Motion to Dismiss Plaintiff's Complaint in its entirety (Doc. 7) is GRANTED. Further, the claims against the two John Doe Defendants are DISMISSED sua sponte.

Plaintiff shall be allowed thirty days to file an Amended Complaint. The amended filing should be entitled “Amended Complaint” and contain all claims against all parties, as it will supersede the original Complaint in all respects. Failure to file an Amended Complaint within thirty days will result in dismissal of this action with prejudice.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 17<sup>th</sup> day of November, 2016.

/s/ J. Garvan Murtha  
Honorable J. Garvan Murtha  
United States District Judge